IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT APPEAL NO : 1214 of 2005

&

WRIT PETITION No. 11544 of 2005

WRIT APPEAL NO : 1214 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 10/06/2005 in WVMP No.1384 of 2005 in WPMP No. 14770 of 2005 in WP NO : 11544 OF 2005 on the file of the High Court.)

Between:

Y. Krishna, S/o Y. Chandraiah,
R/o H.No. 4-8-312, Gowliguda, Hyderabad.

..... APPELLANT

AND

1 The A.P. Commission for Backward Classes, 8th Floor, Chandra Vihar, M.J. Road,
Nampally, Hyderabad, Rep. by its Member Secretary.
2 The Government of Andhra Pradesh, Rep. by its Principal Secretary,
Backward Classes Welfare Department, Secretariat Buildings,
Hyderabad.

RESPONDENTS

Counsel for the Appellant:MR.L.RAVICHANDER

Counsel for the Respondents: GP FOR SOCIAL WELFARE

Counsel for the Petitioner:MR.P.SUBASH

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following :

COMMON ORDER: (per the Hon'ble Sri Bilal Nazki, ACJ)

The writ petition was filed seeking a direction that Respondent No. 1 should not file a report as some copies of certain documents were not made available to the petitioners by Respondent No.1. An interim order was passed by the learned single judge directing the 1st respondent to furnish the material sought by the petitioner. This order was vacated when a vacate stay petition was filed by an order of this Court on 10.6.2005. Appeal has been filed against that order. In the meantime, it is noticed that the 1st respondent gave a report which was consequently accepted by the Government, which resulted in issuing of an Ordinance. As such, the present writ petition has become infructuous and no further orders can be passed in the writ petition and is accordingly dismissed.

But, however, Mr. L. Ravichander, learned counsel appearing on behalf of the appellant-writ petitioner submits that since the final Ordinance has also been challenged, the grounds taken in the writ petition may also be permitted to be taken before the appropriate Court in which the Ordinance has been challenged.

We are making it clear that we are not giving any finding on the issues raised

in the writ petition and issues if any can be raised by the petitioner in case he has filed any writ petition challenging the Ordinance.

In view of the dismissal of the writ petition as having become infructuous, the writ appeal also fails and the same is accordingly dismissed. No costs.

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BILAL NAZKI, ACJ

DATE: 4th July, 2005

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G. CHANDRAIAH,J

pnb

To

1 The Member Secretary, A.P. Commission for Backward Classes, 8th Floor, Chandra Vihar, M.J. Rad, Nampally, Hyderabad,
2 The Principal Secretary, Backward Classes Welfare Department, Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.

3 Two C.Cs. to the Government Pleader for Social Welfare, High Court Buildings, Hyderabad. (OUT)

4 Two C.D. copies

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